

Filed for intro on 01/28/2002  
HOUSE BILL 2361 By  
Curtiss

SENATE BILL 2844  
By Cooper J

AN ACT to amend Tennessee Code Annotated, Section 5-1-118,  
relative to county powers shared with municipalities.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 5-1-118, is amended by deleting  
subsection (c) in its entirety, and by substituting instead the following language:

(c)

(1) In addition to those powers granted to counties pursuant to subsection  
(a), any county may, by adoption of a resolution by two-thirds (2/3) vote of their  
respective legislative bodies, exercise those powers granted to all or certain  
municipalities by § 6-2-201(22) and (23), except as provided in subsection (b)  
and subdivision (c)(2). The powers granted to counties in this subsection apply  
only within the unincorporated areas. Nothing in this act may be construed to  
allow any county to prohibit or in any way impede any municipality in exercising  
any power or authority the municipality may lawfully exercise. If, prior to the  
effective date of this act, a county has adopted a resolution by a two-thirds (2/3)  
vote, pursuant to previous acts enacted by the general assembly, to exercise the

powers granted in accordance with this subsection, no further action by the legislative body of such county is necessary to continue exercising such powers.

(2) The powers granted by § 6-2-201(22) and (23) shall not apply to those activities, businesses, or uses of property and business occupations and practices which are subject to regulation pursuant to Title 57, Chapter 5; Title 57, Chapter 6; Title 59, Chapter 8; Title 60, Chapter 1; Title 68, Chapters 201 through 221; or Title 69, Chapters 3, 8, 11 and 12.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.